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Lambda Letters Project

Vol. 12, No. 11 November, 2004 www.lambdaletters.org LambdaLP@aol.com (916) 728-1261

Thanks for a Good Year!

This has been a wonderful year. We lost on some important bills but we won on some good ones. And you all sent over 344,000 letters and e-mails to elected officials this year. By our joint efforts we are becoming a major force for good in California. But now it's time to take a rest. The many volunteers at the Lambda Letters Project have labored hard all during the year. So now we are giving them some time off. As a result, this is the last regular mailing you will receive from us in 2004. You will get your next regular mailing in January 2005. In the meantime, I wish you well and hope you enjoy the holidays.

LLP Annual Meeting

Please Sign and Send Your Proxy Immediately

It's almost annual meeting time again. Lambda Letters' annual meeting will occur on Saturday, January 29, 2005, starting at 11 AM. You are cordially invited to attend. The meeting will occur at Shriners Hospital for Children, 2425 Stockton Blvd. (between X and Y Streets), Boardroom, 7th Floor, Sacramento. Please remember that we must have a quorum of one-third of the membership (in person or by proxy) to conduct business. So if you are unable to attend, please complete and return the enclosed proxy right away. If you are not sure if you can attend, please complete and return the proxy anyway. If you later find that you can attend, you can always revoke your proxy and vote in person at the meeting.

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Future for LGBTI Rights

By Boyce Hinman, Chief Lobbyist

The future for LGBTI rights looks great, at least at the state level. Here is why: Although I had to write this before the November elections I believe the result will be a majority of Democrats in both the state Senate and Assembly. We also have a mostly sympathetic governor.

After the last census, the state legislature drew up new boundaries for the state Senate and Assembly districts as well as new districts for the House of Representatives. They drew them up in a way that protects the current members of those three legislative houses. Districts of Republican legislators have a majority of registered Republicans in their districts and districts of Democratic legislators have a strong majority of registered Democrats. This means that incumbents who run for reelection are almost guaranteed to win. At the state level, term limits are pretty much the only way to remove a legislator. But when they are forced out, it is a given that they will be replaced by members of the same party. Many political pundits say a fault in this system is that it contributes to the election of extremists of both the left and right. In a district where most voters are Republicans, Republican candidates don't need to take moderate positions to entice voters from the other party to vote for them on election day. The same is true for Democrats in heavily Democratic districts.

The scores that Lambda Letters gave state legislators this year in its annual scorecard bear out this prediction. The average score of Democratic state legislators was about 95 percent; Republicans averaged just 17 percent. Democrats

Continued on page 10

Lambda Letters Progress Report

Letters and Messages Collected

September, 2004	3,044 letters & e-mails
In all of 2004	344,755 letters & e-mails

Dollars Spent

September, 2004	$7,480
In all of 2004	$41,693

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

Lambda Letters Project

Our Mission

To promote the social, economic, and human rights of lesbian, gay, bisexual, transgender and intersex individuals, couples, and families; people affected by HIV/AIDS; people of color; and women. We do this by urging elected officials to enact and support legislation that accomplishes this goal.

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Melissa Bain, San Francisco, melissa.bain@lambdaletters.org
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Paul S. Furth, Ph.D., Bonita, paul.furth@lambdaletters.org
Lori Hahn, Sacramento, lori.hahn@lambdaletters.org
Michael O'Donahue, Sacramento, michael.odonahue@lambdaletters.org
Lori Reyes, Sacramento, lori.reyes@lambdaletters.org
Stacy L. Saetta, San Francisco, stacy.saetta@lambdaletters.org
Ellis Vance, Fresno, ellis.vance@lambdaletters.org
Pat Washington, San Diego, pat.washington@lambdaletters.org

Staff

Chief Lobbyist, E-mail Alert Advocate: Boyce Hinman, (916)728-1261, boyce.hinman@lambdaletters.org
Newsletter/Website Editor: stefan.gruenwedel@lambdaletters.org
Legislative Analysts:

- LGBTI Issues: teri.ford@lambdaletters.org
- HIV/AIDS Issues: jamie.shauvin@lambdaletters.org
- People of Color Issues: marty.martinez@lambdaletters.org
- Women's Issues: kathleen.watanabe@lambdaletters.org

General Coordinator: aeire.stickney@lambdaletters.org
Volunteer Coordinator: lori.norman@lambdaletters.org

Publication of the name of any person or organization in articles or advertising in the Lambda Letters Project newsletter is not to be construed as any indication of the sexual orientation of such person or organization. The Lambda Letters Project does not sell or loan its mailing list to anyone. We give no information about who is, or is not, a member of the Project. We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

The Lambda Letters Newsletter is published monthly, except in December, by Lambda Letters Project Inc., 6529 Cowboy Way, Citrus Heights, CA 95621.

Send address changes to
Lambda Letters Project, 2528 Madison Avenue, San Diego, CA 92116-2922
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Business-card sized ads (3½"×2") $10, quarter-page ads $30, third-page ads $33, half-page ads $45, full-page ads $75, full back-page ad $100. Deadline for payment and camera-ready copy, along with your name and phone number, is the 25th of each month.

Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave?
If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212.
The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

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Women's Issue

Legislative Session a Mixed Year for Women

By Kathleen Watanabe, Legislative Analyst

Once again the California Legislature passed many bills that would improve the lives of women. However, Governor Schwarzenegger's performance on signing these bills into law was mixed.

Of the five most important bills affecting women that we wrote about this year, three were signed into law and two were vetoed. When Governor Davis was recalled last year and replaced by a Republican, the future of progressive legislation in California seemed bleak. However, Governor Schwarzenegger passed a little more than half of the bills of interest to women. It would have been far worse with a true conservative governor. I suppose that we should accept the adage of "a half a loaf is better than none at all."

The governor's actions this year fell into a general pattern. He tended to support legislation that would toughen laws on crime and domestic violence. He clearly opposed bills that would cost the state money or impose financial costs on businesses.

Here is a summary of the five important bills that Lambda Letters featured this year:

- **AB 1825 (Sally Reyes, D–Fresno):** The governor signed AB 1825, which will require large employers, having 50 or more employees, to provide at least two hours of training and education regarding sexual harassment to all supervisory employees. The required training and education include information regarding the federal and state statutory provisions concerning the prohibition against, and the prevention and correction of, sexual harassment and the remedies available to victims of sexual harassment.
- **SB 1385 (John Burton, D–San Francisco):** The governor signed SB 1385, which will make numerous changes and improvements to laws concerning intimate partner battering. The new law will enable certain victims convicted and imprisoned for killing their abusers to file writs of habeas corpus to have their sentences reviewed. It will also enable some victims convicted of committing crimes other than murder to have their sentences reviewed if battering and its effects were relevant. The bill will also change the terminology from "Battered Women's Syndrome" to "Battering and Its Effects."
- **SB 1590 (Joe Dunn, D–Garden Grove):** The governor signed SB 1590, which will protect the safety and lives of employees, volunteers, board members, owners, partners, officers, or contractors of reproductive health facilities by restricting the dissemination of their personal information normally required by the California Public Records Act. This will prevent radical anti-choice groups from obtaining information on the names, home addresses, telephone numbers, personal worth, and personal financial data of family planning workers and subjecting them to harassment.
- **AB 358 (Hannah-Beth Jackson, D–Santa Barbara):** The governor vetoed AB 358 which would have required the state to implement the principles of the International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). It would have addressed discrimination against women and girls in areas including economic development, education, employment practices, violence against women and girls, and healthcare.

Continued on page 4

People of Color Issue

Governor Disappoints on Language Access

By Marty Martinez, Legislative Analyst

In the past we asked you to express your support to the governor for AB 2408 (Leland Yee, D–San Francisco). The bill sought to strengthen laws that require state agencies to employ sufficient numbers of bilingual staff to meet the needs of non-English-speaking Californians. Sad to say, Governor Schwarzenegger vetoed the bill. Now we need to write the governor and express our disappointment at his lack of concern for access to government services for those with limited English proficiency.

Since 1973 California law has required all state and local agencies to employ a sufficient number of qualified bilingual staff in public contact positions—and, in other ways, to ensure language access for members of the public who speak little or no English. But in 1999 a State Auditor's report concluded that many state and local agencies are not in compliance with the law.

AB 2408 would have addressed these problems by clarifying the general requirement that bilingual staff should be hired in unfilled public contact positions when a state agency or the State Personnel Board has identified a deficiency in bilingual staffing at any of the agency's local offices.

This bill was important to the 40 percent of all Californians who speak a language other than English at home. The lack of language-appropriate services can have unjust and tragic consequences. Please let the governor know that his veto of this important bill was not good policy.

HIV/AIDS Issue

Thank the Governor

By Jamie E. Shauvin, Legislative Analyst

This month we ask that you write to Governor Schwarzenegger thanking him for signing SB 1159 into law. This legislation authorizes a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions.

According to the Department of Health Services, California now spends over $315 million a year on services to people with HIV and AIDS. As of December 2002, there were 123,819 cumulative cases of HIV/AIDS reported in California since the outbreak of the epidemic.

The DHS also reports that just shy of 20 percent of all cases of HIV infection are related to the sharing of dirty needles by intravenous drug users. Reducing the sharing of dirty needles significantly could have a huge impact on the spread of HIV/AIDS. A reduction in sharing dirty needles would probably do much to lower the state's cost of treating the disease.

Until now, existing law required a person to establish his or her identity properly in order to purchase a needle or syringe and for pharmacists to keep detailed records of nonprescription sales of hypodermic needles and syringes.

SB 1159 eliminates both the identity requirement and the requirement that pharmacists keep detailed records of such sales. Introduced by State Senator John Vasconcellos (D–San Jose), SB 1159 went before the California State Assembly in July where it passed successfully—thanks in part to you.

Also thanks in part to your efforts, SB 1159 was approved by Governor Schwarzenegger and signed into law. We are asking you to contact the governor and thank him for supporting SB 1159.

Sadly, Governor Schwarzenegger chose to veto AB 2871, Needle Exchange Programs, introduced by Assemblymember Patty Berg (D–Santa Rosa). This bill would have made it easier for cities and counties to establish clean needle and syringe exchange programs and could have contributed to saving lives by increasing the number of cities and counties that participate in clean needle exchange programs.

AB 2871 would have removed the unnecessary burden of declaring and renewing a state of emergency every two weeks. This bill could have done much to decrease new HIV/AIDS infections linked to intravenous drug use.

Still, SB 1159 will do much to slow the spread of serious blood-borne diseases. That, in turn, will greatly reduce the current projected health services costs to the state of caring for people with these diseases.

Please write to Governor Schwarzenegger and thank him for approving SB 1159.

LGBTI Issue

Governor Signs LGBTI Bills

By Boyce Hinman, Chief Lobbyist

Many people thought the ball game was over when Arnold Schwarzenegger, a Republican, was elected governor. There were rumors that his experience in Hollywood had bred tolerance of the lesbian, gay, bisexual, and intersex (LGBTI) community in the former bodybuilder and actor. But Ronald Reagan had been a Hollywood actor for years and he was no friend of the LGBTI community.

Now the first legislative year of Governor Schwarzenegger's term in office is over, and we can report that he actually did rather well on LGBTI issues. In fact, Lambda Letters rated his performance in the four subject areas we work on and he got his highest score on LGBTI issues:

- LGBTI issues: 83 percent
- HIV/AIDS issues: 33 percent
- People of Color issues: 17 percent
- Women's issues: 70 percent

As you can see, he did poorly on HIV/AIDS and People of Color issues. As a result, we gave him an overall failing grade of just 51 percent. (To see the bills on which the rating was based, and what the governor did with those bills, check out the Legislative Update in this newsletter).

Nevertheless, we should thank the governor for the good work he did on LGBTI issues. That is the best way to encourage him to continue supporting us on those issues in the future. Please write to the governor and thank him for signing so many of the LGBTI bills that reached his desk.

Women's Issue

Continued from page 3

- **AB 2317 (Jenny Oropeza, D–Carson):** The governor vetoed AB 2317, which would have amended the California Labor Code to strengthen individuals' private right of action to recover costs of pay discrimination. It would have increased the amount of damages for violating state law prohibiting gender-based wage discrimination to three times the balance of the underpaid lost wages with interest. It would have subjected repeat or willful violators to a civil penalty equal to five times the balance of the underpaid lost wages with interest.

It is important to continue to fight for legislation impacting the lives of women. The governor should be commended for signing the bills that will positively affect women. We need to continue to educate and push him to sign the legislation of items that he did not support.

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PROXY STATEMENT

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LGBTI Issue

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Yes, I Support Lambda Letters Project

Annual Membership Dues
- ❑ $60 Household
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PROXY STATEMENT

LAMBDA LETTERS PROJECT

LAMBDA LETTERS PROJECT

IMPORTANT

Please complete, sign and return this proxy statement immediately. We will be unable to conduct business at the annual membership meeting unless we have a quorum of one third of the membership present in person or by proxy.

FOR THE ANNUAL MEMBERSHIP MEETING OF THE LAMBDA LETTERS PROJECT
THIS PROXY IS SOLICITED ON BEHALF OF THE BOARD OF DIRECTORS

I hereby appoint Lori Norman and Allan Robin, and each of them with full power of substitution, as proxies to vote for me at the Annual Membership Meeting of the Project to be held on Saturday January 29, 2005 at the Shriners Hospital (in the 7th floor Board Room) at 2425 Stockton Blvd. (Between X and Y Streets) Sacramento, CA starting at 11:00AM.

PLEASE CHECK THE APPROPRIATE BOXES

1. ☐ For election to the Board of Directors, any appropriate person nominated to the position except for the following persons:

   _____.

   ☐ WITHHOLD AUTHORITY for all nominees.

2. FOR ☐ AGAINST ☐ ABSTAIN ☐ the year 2005 budget as presented to the meeting or as amended in that meeting.

3. At their discretion, the proxies are authorized to vote on such other business as may properly come before the meeting.

4. I understand that, if I attend the Annual Membership Meeting, I may revoke this proxy.

FULL NAME:

SIGNATURE: _____

Dated: _____

name

address

city, state, zip

November 15th, 2004

The Hon. Arnold Schwarzenegger, Governor
State Capitol Building
Sacramento, CA 95814

Dear Governor Schwarzenegger:

Thank you for supporting Senate Bill 1159, authorizing a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions.

According to the Department of Health Services, California now spends over $315 million a year on services to people with HIV and AIDS. As of December 2002, there were 123,819 cumulative cases of HIV and AIDS reported in California since the outbreak of the epidemic. The Department of Health Services also reports that just shy of 20% of all cases of HIV infection are related to the sharing of dirty needles by intravenous drug users. SB 1159 will help reduce the sharing of dirty needles significantly and could have a huge beneficial impact on the spread of HIV and AIDS. A reduction in sharing dirty needles will also do much to lower the state's cost of treating the disease.

Sadly, you chose to veto Assembly Bill 2871, Needle Exchange Programs, introduced by Assemblymember Patty Berg. This bill would have made it easier for cities and counties to establish clean needle and syringe exchange programs and could have contributed to saving lives by increasing the number of cities and counties that participate in clean needle exchange programs. AB 2871 would have removed the unnecessary burden of declaring and renewing a state of emergency every two weeks. This bill could have done much to decrease new HIV and AIDS infections linked to intravenous drug use.

Still, SB 1159 will do much to slow the spread of serious blood-borne diseases. That, in turn, will greatly reduce the current projected health services costs to the state of caring for people with these diseases.

Thank you for signing SB 1159.

Sincerely,

name

address

city, state, zip

November 15th, 2004

The Hon. Arnold Schwarzenegger, Governor
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

I would like to thank you for signing into law numerous pieces of legislation that will vitally affect the lives and well-being of women in California. In particular, I would like to thank you for supporting AB 1825, SB 1385, and SB 1590.

AB 1825 will require large employers to provide training and education regarding sexual harassment to all supervisory employees. It is vitally important that employees be familiar with the laws concerning the prohibition against, and the prevention and correction of, sexual harassment. Every employee has the right to a workplace free from concern or fear of harassment.

SB 1385 will make numerous changes and improvements to laws concerning intimate partner battering. This new law will enable victims of battering who have been convicted and imprisoned to seek some recourse. Too often, these neglected victims have been victimized twice -- by their abusive partners and then by the legal system. It is important that we give these victims of domestic violence a voice in seeking justice.

SB 1590 will protect the safety and lives of employees, volunteers, board members, owners, partners, officers, or contractors of reproductive health facilities by restricting the dissemination of their personal information to the public and thereby reducing the threats and intimidation made by radical anti-choice groups. This new law is important for the future of all women. If the lives of reproductive health providers are not protected, women consumers will not be able to exercise their freedom of choice of getting safe and legal health services to which they are all entitled.

Again, I want to thank you very much for supporting legislation that improves the lives of women. However, there are many problems that still need to be fixed. Women continue to suffer in areas of healthcare and economic justice. I look forward to working with you again in the next legislative session.

Sincerely,

name

address

city, state, zip

November 15th, 2004

The Hon. Arnold Schwarzenegger, Governor
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

I am writing to express my disappointment over your veto of AB 2408 (Leland Yee, D-San Francisco). The bill sought to strengthen laws that require state agencies to employ sufficient numbers of bilingual staff to meet the needs of non-English-speaking Californians. I am concerned that this veto signals a lack of concern for the need for access to government services for all Californians.

Since 1973 California law has required all state and local agencies to employ a sufficient number of qualified bilingual staff in public contact positions -- and, in other ways, to ensure language access for people who speak little or no English. But in 1999 a State Auditor's report concluded that many state and local agencies are not in compliance with the law. AB 2408 would have addressed these problems by clarifying the general requirement that bilingual staff should be hired in unfilled public contact positions when a state agency or the State Personnel Board has identified a deficiency in bilingual staffing at any of the agency's local offices.

AB 2408 was important to the 40 percent of all Californians who speak a language other than English at home. The lack of language-appropriate services can have unjust and tragic consequences. I urge you in the coming year to reconsider your position on issues related to language access for government services.

Thank you for your consideration.

Sincerely,

name

address

city, state, zip

November 15th, 2004

The Hon. Arnold Schwarzenegger, Governor
The California State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

I am writing to thank you for signing so many bills of interest to the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community. As I understand it, you signed 83% of the bills of importance to the LGBTI community which reached your desk. Thank you for being so supportive.

Many people had grave concerns about whether you would support such legislation when you became governor. I am glad to see that you have put those fears to rest.

That gives me hope for the future as well. Although much progress has been made, there is still much to accomplish. Same-sex couples still lack many of the rights and protections available to married couples. For example, lesbian and gay school employees are still denied the right (available to most other workers in California) of partially paid family leave to care for a seriously ill domestic partner. The children of same-sex couples still lack many of the protections available to children of married couples. Transgender and intersex people still face discrimination in obtaining healthcare coverage at all.

Your record in this first year of your administration gives me hope that you will do the right things on these issues as well. I hope that these and many additional issues of importance to the LGBTI community will be addressed in the remaining years of your administration.

Thank you for taking seriously the needs of the LGBTI community.

Sincerely,

Final Legislative Update for 2004

The State Legislature closed for the year on August 28. Governor Schwarzenegger had until September 30 to decide whether to sign or veto each of the bills sent to him. Any bills not signed or vetoed by the governor by September 30 became law without his signature.

The following list shows the final outcome of many of the state bills tracked by Lambda Letters this year. As you will see, the governor did fairly well with LGBTI and women's issues. His record was not as good on HIV/AIDS issues, however. It was abysmal on issues of concern to people of color. That is ironic: He is an immigrant and many of the bills he vetoed were of importance to immigrants.

HIV/AIDS Issues

AB 1367 (Darrell Steinberg, D–Sacramento; John Laird, D–Santa Cruz)
Purpose: To create an HIV/AIDS pharmacy pilot program to help protect major state HIV/AIDS clinics with in-house pharmacies—such as the Los Angeles Gay and Lesbian Center, CARES-Sacramento, and the AIDS Healthcare Foundation—from the state budget's new Medi-Cal pharmacy reimbursement realignment.
Status: Signed by the governor.
LLP Position: Support.

AB 1925 (Ray Haynes, R–Temecula)
Purpose: To require advance notice to parents, under certain circumstances, of sex or AIDS education to be given in a school and to notify parents that they can remove their children from this education by submitting a written request.
Status: Signed by the governor.
LLP Position: Oppose.

AB 1957 (Dario Frommer, D–Glendale)
Purpose: To require the state to establish a Web site to display price comparisons of prescription drugs, including prices charged by licensed pharmacies in the state and Canadian pharmacies that provide mail-order service to the US that meet certification requirements established under the bill. Also requires the state to consider buying drugs from Canada.
Status: Vetoed by the governor.
LLP Position: Support.

AB 2871 (Patty Berg, D–Santa Rosa)
Purpose: To make it easier for cities and counties to establish clean-needle and syringe exchange programs.
Status: Vetoed by the governor.
LLP Position: Support.

SB 1149 (Deborah Ortiz, D–Sacramento)
Purpose: To require the state to develop and disseminate information identifying pharmacies in Canada that meet recognized standards for the safe dispensing of dangerous drugs (prescriptions) to California residents. Listed pharmacies must register with the state and pay a $1,500 fee. State also must publicize foreign suppliers that do not meet standards. Information should be posted on the Internet.
Status: Vetoed by the governor.
LLP Position: Support.

SB 1159 (John Vasconcellos, D–San Jose)
Purpose: To authorize a licensed pharmacist to sell hypodermic needles or syringes to a person without a prescription under specified conditions, and to authorize a person to possess up to 10 hypodermic needles or syringes if acquired through an authorized source. This bill comes into force only if SB 1362 is also passed and signed by the governor.
Status: Signed by the governor.
LLP Position: Support. This would facilitate authorized clean-needle exchange programs around the state.

SB 1362 (Liz Figueroa, D–Fremont)
Purpose: To require local governments to include in their waste management plans a procedure for the safe collection, treatment, and disposal of sharps, including hypodermic needles and syringes.
Status: Signed by the governor.
LLP Position: Support.

SB 1494 (John Vasconcellos, D–San Jose)
Purpose: To provide that a qualified person with a medical marijuana identification card, or any designated primary caregiver, may possess any amount of marijuana consistent with the medical needs of that qualified person with an identification card.
Status: Vetoed by the governor.
LLP Position: Support.

Lesbian/Gay/Bisexual/ Transgender/Intersex Issues

AB 1918 (Cindy Montanez, D–Mission Hills)
Purpose: To allow a school employee, in a school district that is not subject to disability compensation laws, to take up to six weeks off with partial pay to care for a seriously ill child, spouse, parent, or domestic partner, or to bond with a new child.
Status: Vetoed by the governor.
LLP Position: Support.

AB 2208 (Christine Kehoe, D–San Diego)
Purpose: To require that domestic partners be treated equally to married couples by insurance companies with regard to benefits under all kinds of insurance policies regulated by the Department of Insurance.
Status: Signed by the governor.
LLP Position: Support.

AB 2580 (Jackie Goldberg, D–Los Angeles)
Purpose: To allow domestic partners who are already registered with the state to sign enforceable prenuptial agreements; allow domestic partners *who are not registered with the state* to sue for wrongful death under certain circumstances; establish that, for

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Legislative Update

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domestic partners to be eligible for the broad array of rights and duties under California law, they must be registered with the secretary of state, not local governments.
Status: Signed by the governor.
LLP Position: Support.

AB 2889 (John Laird, D–Santa Cruz)
Purpose: To make employers responsible for the acts of non-employees with respect to all forms of harassment (including harassment based on the LGBTI or HIV status of employees) in the workplace where the employer or its agents or supervisors knew, or should have known, of the conduct and failed to take immediate and appropriate corrective action.
Status: Failed in the Senate Appropriations Committee. Bill is dead.
LLP Position: Support.

AB 2900 (John Laird, D–Santa Cruz)
Purpose: To amend nondiscrimination language in six areas of California's statutes to make the language uniform. The nondiscrimination language found in the Fair Employment and Housing Act will be used as the model. Sexual orientation, gender identity, and language protecting women and other minorities will be amended into many of these government codes.
Status: Signed by the governor.
LLP Position: Support.

AJR 60 (Sally Lieber, D–San Jose)
Purpose: To approve an Assembly Joint Resolution urging Congress and President Bush to support the Permanent Partners Immigration Act. This act, now being considered in Congress, would allow US citizens to obtain permanent legal US residency for their domestic partners who are citizens of another country.
Status: Approved. Sent to Congress.
LLP Position: Support. Currently straight couples can obtain the same result by marriage.

AJR 67 (Dennis Mountjoy, R–Monrovia)
Purpose: To urge Congress to pass a constitutional amendment banning same-sex marriage in the United States.
Status: Referred to the Assembly Judiciary Committee. Hearing cancelled at the author's request. The bill is dead.
LLP Position: Oppose.

AJR 85 (Mark Leno, D–San Francisco)
Purpose: To urge Congress *not* to pass a constitutional amendment banning same-sex marriage in the United States.
Status: Approved. Sent to Congress.
LLP Position: Support.

SB 1193 (Nell Soto, D–Ontario)
Purpose: To require the state to pay a $10,000 death benefit to the surviving spouse, or beneficiary designated by the service member, of any member of the California National Guard, State Military Reserve, or Naval Militia who dies or is killed in the performance of state military duty.
Status: Signed by the governor.
LLP Position: Support.

SB 1234 (Sheila Kuehl, D–Los Angeles)
Purpose: To enact a uniform definition of "hate crime" and direct all state and local agencies to use it exclusively; encourage all law-enforcement agencies to adopt a formal hate-crime protocol; direct law-enforcement agencies to deliver expanded hate crimes training to their officers; and increase penalties for hate crimes.
Status: Signed by the governor.
LLP Position: Support.

People of Color Issues

AB 292 (Leland Yee, D–San Francisco)
Purpose: To provide that a state or local governmental agency, or a public or private agency supported by state funding, shall not use any child, or permit any child to be used, as a translator or interpreter in any matter involving the business or function of that agency, except as specified. This would require each agency that receives state funding to have available for inspection an established procedure for providing competent translation services.
Status: Died in the Senate Appropriations Committee.
LLP Position: Support.

AB 858 (Jackie Goldberg, D–Los Angeles)
Purpose: To prohibit public schools from using the word "Redskins" as a school or athletic team name, mascot, or nickname.
Status: Vetoed by the governor.
LLP Position: Support.

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crystal weber ▪ studio.c@sbcglobal.net
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AB 1796 (Mark Leno, D–San Francisco)
Purpose: To provide that a convicted drug felon shall be eligible for aid under the Food Stamp Program. Those convicted of using drugs would be helped by this bill. Drug dealers would be excluded from its benefits.
Status: Signed by the governor.
LLP Position: Support.

AB 1815 (Wilma Chan, D–Oakland)
Purpose: To raise the income tax rate and the alternate minimum income tax rate on California's wealthiest citizens.
Status: The bill is dead.
LLP Position: Support. This would reduce the pressure to make cuts to vital HIV/AIDS programs and other health and social service programs.

AB 1895 (Joe Nation, D–San Rafael)
Purpose: To require that an attorney who specializes in immigration law, or a certified immigration specialist, be provided to a dependent child of the court who is not a citizen of the US and when the court has decided parental reunification is not an option. The bill would exclude counties that already have similar programs in place.
Status: Vetoed by the governor.
LLP Position: Support.

AB 1963 (Simon Salinas, D–Salinas)
Purpose: To encourage the use of *promotores de salud* and community health workers to provide better health outcomes for rural and underserved communities, particularly agricultural workers, and seek to incorporate the use of *promotores de salud* and community health workers in the full range of state-funded health programs. (*Promotores de salud* are programs that utilize trained community members to provide linguistically and culturally appropriate outreach, education, and access to services.)
Status: Vetoed by the governor.
LLP Position: Support.

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Don't Let THEM Change OUR Constitution!

The Elections Committee of the County of Orange (ECCO) is a **combined Federal and State Political Action Committee** that champions issues important to the GLBT community.

Join us as we financially assist federal and state representatives, candidates, and organizations from Orange County and Long Beach that will defend the U.S. Constitution from the Federal Marriage Amendment.

ECCO supports the Lambda Letters Project

ECCO is a non-partisan Gay, Lesbian, Bisexual, Transgender, HIV/AIDS, and Women's Political Action Committee.

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AB 2387 (Marco Firebaugh, D–South Gate)
Purpose: To authorize the University of California and the California State University to consider culture, race, ethnicity, gender national origin, geographic origin, and household income, along with other relevant factors, in undergraduate and graduate admissions under certain limited conditions. These may not be the deciding factors in admissions. Also authorizes the schools to gather certain demographic data on students.
Status: Vetoed by the governor.
LLP Position: Support.

AB 2408 (Leland Yee, D–San Francisco)
Purpose: To strengthen and clarify the law requiring state agencies to employ sufficient numbers of bilingual staff to meet the needs of the non-English-speaking communities they serve.
Status: Vetoed by the governor.
LLP Position: Support

AB 2428 (Judy Chu, D–Monterey Park)
Purpose: To protect the victims of hate crimes and their families by ensuring, absent compelling reasons that dictate otherwise, that a restraining order prohibiting further contact with the victim or victim's family be placed on the perpetrator when he or she is released from custody.
Status: Signed by the governor.
LLP Position: Support.

AB 2895 (Fabian Nunez, D–Los Angeles)
Purpose: To allow undocumented immigrants, under certain circumstances, to obtain driver's licenses. The bill contains numerous features to protect society from criminals or terrorists. Undocumented immigrants would have to overcome many more hurdles than other people in order to get a driver's license.
Status: Vetoed by the governor.
LLP Position: Support.

SB 921 (Sheila Kuehl, D–Los Angeles)
Purpose: To establish a single-payer, universal healthcare delivery system in California. Under this system the state would pay all the medical bills and every resident of California would have health insurance.
Status: Approved by the Assembly Health Committee. Author has decided to drop the bill until next year.
LLP Position: Support.

SB 1144 (John Burton, D–San Francisco)
Purpose: To allow the state to buy drugs from Canadian manufacturers, among others. Would require the state to seek federal permission to buy drugs in Canada.
Status: Vetoed by the governor.
LLP Position: Support.

SB 1170 (Deborah Ortiz, D–Sacramento)
Purpose: To require the state to establish (on or before January 1, 2005) a list of maximum allowable costs that drug providers could charge the state

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1116 24th Street • Sacramento, CA 95816
584 Castro Street • San Francisco, CA 94114
916.329.9280 fon • 916.498.8445 fax
editor@outwordmagazine.com
www.outwordmagazine.com

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for medicines used in the Medi-Cal program.
Status: The bill is dead.
LLP Position: Support. The list would keep costs down and reduce pressure to limit enrollment in Medi-Cal.

SB 1333 (Don Perata, D–Oakland)
Purpose: To authorize the state to reimburse a pharmacy that provides to a Medi-Cal beneficiary, or an AIDS Drug Assistance (ADAP) patient, a prescription drug that was purchased from a Canadian pharmacy that is licensed with the state of California.
Status: Vetoed by the governor.
LLP Position: Support.

SB 1499 (Kevin Murray, D–Culver City)
Purpose: To prohibit an employer from charging a fee for cashing an employee's payroll check, transporting an employee to a job site, or renting an employee the tools necessary to perform the duties of the employment.
Status: Vetoed by the governor.
LLP Position: Support.

SB 1563 (Martha Escutia, D–Norwalk)
Purpose: To deem that a drug manufacturer entering into a contract with state and local governments must agree to offer certain clinics that serve poor people prices that do not exceed the discounted prices specified under federal law.
Status: Vetoed by the governor.
LLP Position: Support.

Women's Issues

AB 1825 (Sarah Reyes, D–Fresno)
Purpose: To require larger employers to train supervisors on the subject of remedies for, and laws against, sexual harassment in the workplace.
Status: Signed by the governor.
LLP Position: Support.

AB 1946 (Darrell Steinberg, D–Sacramento)
Purpose: To streamline and improve a process already available under California law, which allows compassionate release from jail for certain prisoners who are ill and have less than six months to live.
Status: Vetoed by the governor.
LLP Position: Support.

AB 2010 (Loni Hancock, D–Berkeley)
Purpose: To allow Alameda and Solano Counties to increase fees, up to a maximum increase of $2, for certified copies of marriage certificates, birth certificates, fetal death records, and death records, for the purposes of providing funding for governmental oversight and for the coordination of domestic violence prevention, intervention, and prosecution efforts in the county.
Status: Signed by the governor.
LLP Position: Support.

AB 2018 (Judy Chu, D–Monterey Park)
Purpose: To provide that in a divorce case, if there is a judgment for civil damages for an act of domestic violence perpetrated by one spouse against the other spouse the court may enforce that judgment against the abusive spouse's share of community property
Status: Signed by the governor.
LLP Position: Support.

AB 2148 (Manny Diaz, D–San Jose)
Purpose: To allow a court to require parties to a child custody, visitation, and child-support proceedings to pay attorney's fees and court costs. This would allow the court to order one party to pay the other party's costs when the other party cannot afford them; would allow the court to issue a temporary order on child custody, visitation, and child support while the case is being litigated; and would allow the court to order spousal support, if the parties are married, during litigation of a domestic abuse case.
Status: Signed by the governor.
LLP Position: Support.

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Prenups

By Boyce Hinman, Chief Lobbyist

"...and so they lived happily ever after."

That's the ending we all would like to hear about our domestic partnerships. Realistically, however, that is not always the case. According to the US Centers for Disease Control, only 57 percent of first marriages last 15 years. Married people even have social, religious, and legal influences that encourage them to stay married. Domestic partners have few such influences. The breakup rate of those relationships may be even higher than that of married couples.

Experts tell us that it is advisable to enter into prenuptial agreements ("prenups") before we sign those domestic partner registration forms. Prenups are enforceable contracts between people which state who gets what if the partnership or marriage ends in failure. Without such agreements, arguments over who gets what after a divorce can get messy.

The passage of AB 205 in 2003 made enforceable prenuptial agreements possible for domestic partners starting on January 1, 2005. However, in order for them to be enforceable, they must be carefully written so they meet the standards created by the Uniform Premarital Agreement Act, as found in the California Family Code (§ 1600). Have an attorney draft your prenup.

What about couples who registered as domestic partners prior to January 1, 2005? Do they need to terminate their partnership, sign a prenuptial agreement, and then re-register as domestic partners? No. The passage of AB 2580 this year allows a better way: These couples can create enforceable prenuptial agreements as long as they sign them prior to June 30, 2005. These legal agreements may take some of the romance out relationships, but they may be worth your consideration.

Legislative Update

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AB 2317 (Jenny Oropeza, D–Carson)
Purpose: To increase the penalty for employers who pay women less for doing the same work as men.
Status: Vetoed by the governor.
LLP Position: Support.

AB 2742 (Dennis Mountjoy, R–Monrovia)
Purpose: To require that state prisons give prisoners the medical care that competent physicians say they need.
Status: Vetoed by the governor.
LLP Position: Support.

SB 1385 (John Burton, D–San Francisco)
Purpose: To make numerous changes and improvements to laws concerning intimate partner battering.
Status: Signed by the governor.
LLP Position: Support.

SB 1441 (Sheila Kuehl, D–Los Angeles)
Purpose: To provide that a victim of domestic violence or abuse has the right to have a domestic violence counselor and a support person of his or her choosing present at any interview by law enforcement authorities, district attorneys, or defense attorneys.
Status: Signed by the governor.
LLP Position: Support.

SB 1590 (Joe Dunn, D–Garden Grove)
Purpose: To shield government records of employees, volunteers, board members, owners, partners, officers, or contractors of a reproductive health services facility upon request of those persons.
Status: Signed by the governor.
LLP Position: Support. This would prevent abortion foes from getting addresses and phone numbers of these people through the Freedom of Information act and then harassing people who work at abortion clinics.

Future for LGBTI Rights

Continued from page 1

voted for almost everything we wanted and Republicans voted against almost everything we wanted.

While this bodes poorly for cooperation in the legislature, it bodes well for those, like us, who support progressive legislation. Democratic legislators strongly support our causes. They are in the majority, and because of how they drew up the legislative districts, they will remain in the majority unless they really screw up. Only the next census in 2010 might change things.

Governor Schwarzenegger turned out to be a friend of the LGBTI community. However, we gave him an overall score of 51 percent because he did very poorly on HIV/AIDS legislation and legislation of benefit to people of color. Still, he signed 83 percent of the bills of importance to the LGBTI community.

So we are provided with an historic opportunity. We have a legislature that seems happy to approve bills of importance to the LGBTI community and a governor who seems happy to ratify their actions when they do so. The burning question now is whether we up to taking full advantage of that opportunity. Are we willing to raise the money needed to promote the legislation that brings us full equality? Once the effort is bankrolled, are we ready to do the work needed to get the job done?

Lambda Letters Project is a supremely efficient engine that is ready to go to work for the community. We proved that by delivering over 344,000 letters and e-mails to elected officials this year—and we spent only nine cents per letter and e-mail doing it.

What we need now is money and people. Send in a generous donation with your signed letters this month. Tell your friends about LLP and get them to join. Roll up your sleeves and volunteer your services to do the work we do. Apathy is the enemy. We have a golden opportunity to get full and equal rights for the LGBTI community. We must not waste that opportunity!

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